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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

ISMAEL NORRIS,

Defendant and Appellant.

B235671

(Los Angeles County
Super. Ct. No. GA082201)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Jared Moses, Judge. Affirmed.

Brian A. Wright, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Respondent.

Appellant Ismael Norris was convicted of first degree burglary. His court-appointed counsel has filed an opening brief raising no issues. Following our independent examination of the entire record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), we conclude that no arguable issues exist, and affirm.

RELEVANT PROCEDURAL BACKGROUND

On February 7, 2011, an information was filed charging appellant Ismael Norris with first degree burglary (Pen. Code, § 459). Accompanying the charge was an allegation that the offense was committed for the benefit of a criminal street gang (Pen. Code, § 186.22, subd. (b)(1)(B)). Appellant pleaded not guilty and denied the special allegation. Prior to trial, the court granted appellant's motion to set aside the information (§ 995) to the extent it sought to have the special allegation dismissed; the court otherwise denied the remainder of the motion.

On July 22, 2011, a jury found appellant guilty of first degree burglary. In imposing the upper term of six years on the offense, the trial court identified as aggravating factors the sophistication of the crime (Cal. Rules of Court, rule 4.421(a)(8)), the increasing seriousness of appellant's previous offenses (Cal. Rules of Court, rule 4.421(b)(2)), and his gang affiliation; in addition, the court found that these factors outweighed the fact that appellant was 18 years old. This appeal followed.

FACTS

A. Prosecution Evidence

In January 2011, Gregory and Christine Ivens resided in a single family home in Duarte. Justin Slemmon and Los Angeles County Sheriff's Department

Deputy Sheriff Eva Robles lived in houses nearby. On January 11, 2011, at approximately 8:45 a.m., the Ivens family left their home. Around 11:00 a.m., Robles -- who was then off duty -- left her house, and saw appellant and another man near the Ivens's home.

Before noon, Mr. and Mrs. Ivens returned to their home, found the front door open, and discovered that the house had been ransacked. Many items of property were missing, including the contents of a safe that had been forced open. Among the missing items were a wallet belonging to Gregory Ivens and jewelry belonging to Christine Ivens. The house's back door had been kicked in, and an aluminum ladder was propped up against a wall in the backyard.

At some point, Slemmon saw appellant and Fernando Pereida leave a vacant house near the Ivens's home. Pereida carried a pillow case. Shortly after noon, Los Angeles County Sheriff's Department Deputy Sheriff Brant Frederickson received dispatch messages that two individuals had been seen leaving the vacant house. As Frederickson approached the vacant house, he noticed appellant and Pereida walking along a street. Their clothing matching the individuals described in the dispatch calls.

Appellant and Pereida saw Frederickson's patrol car, and began walking in a new direction. When Frederickson tried to stop them, they split up and ran. Appellant entered a nearby food market, where an employee observed him traverse a storage area closed to customers. Frederickson detained appellant as he left the market through its rear door. Gregory Ivens's stolen wallet and some of Christine Ivens's missing jewelry were later found in the market's storage area. When other deputy sheriffs detained Pereida, they found more items belonging to the Ivens family near him.

B. Defense Evidence

Appellant presented no evidence.

DISCUSSION

After an examination of the record, appellant's court-appointed counsel filed an opening brief raising no issues and requesting this court to review the record independently pursuant to *Wende*. In addition, counsel advised appellant of his right to submit by supplemental brief any contention or argument he wished the court to consider. Appellant has neither presented a brief nor identified any potential issues. Our examination of the entire record establishes that appellant's counsel has fully complied with his responsibilities and that no arguable issues exist. (*Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The judgment is affirmed.

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MANELLA, J.

We concur:

EPSTEIN, P. J.

WILLHITE, J.